

ASSEMBLY BILL

No. 801

Introduced by Assembly Member Jones
(Coauthor: Senator Ortiz)

February 18, 2005

An act to add Section 5442.12 to the Business and Professions Code, relating to outdoor advertising.

LEGISLATIVE COUNSEL'S DIGEST

AB 801, as introduced, Jones. Outdoor advertising.

Existing provisions of the Outdoor Advertising Act prohibit the placement of advertising displays adjacent to a landscaped freeway, except as specified. A violation of the act is a misdemeanor.

This bill would also exempt an advertising display that is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, or sponsored by, the County of Sacramento to support economic development activities, if certain requirements are met.

Because a violation of the bill would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 5442.12 is added to the Business and Professions Code, to read:

5442.12. Section 5440 does not apply to any advertising structure, sign, or message center display if the advertising display is used exclusively to identify development projects, business centers, or associations located within the jurisdiction of, or sponsored by, the County of Sacramento to support economic development activities, if all of the following conditions are met:

(a) No other display is used by the county pursuant to this section.

(b) The governing body of the county has authorized placement of the display by an ordinance or resolution adopted following a duly noticed public hearing regarding the display.

(c) Placement of the display will not necessitate the immediate trimming, pruning, topping, or removal of existing trees in order to make the display visible or to improve its visibility, unless done as part of the normal landscape maintenance activities that would have been undertaken without regard to the placement of the display.

(d) The display does not cause a reduction in federal aid highway funds, as provided in Section 131 of Title 23 of the United States Code.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.